PX 1

Declaration of Edward R. Blonz, Ph.D.

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LeanSpa, South Beach Java Dieter's Blend

- As detailed in my curriculum vitae, a true and accurate copy of which is attached hereto as 1. Attachment 1, I hold an M.S. and Ph.D. in Nutrition, and am engaged in analyzing, writing, speaking and electronically disseminating science-based information to organizations and the public about issues on nutrition, foods and health, including weight loss and dieting. I am currently an Assistant Clinical Professor in the Department of Clinical Pharmacy at the University of California, San Francisco. I am a member of the American Society for Nutrition, have been elected a Fellow of the American College of Nutrition, and a Fellow of The Obesity Society. I have authored or coauthored, and published, 11 science research papers and seven books, as well as numerous articles in lay publications relating to nutrition, diet and health. I am the recipient of the James Beard Foundation Award for writing on diet, nutrition and health. I also won approximately 26 awards for the accuracy and reliability of my website, The Blonz Guide (http://blonz.com), which lists reliable resources in nutrition, foods and health. Based upon my education, training and experience, as further described in Attachment 1, I consider myself to be an expert in the fields of foods, nutrition, dietary supplements and their impact on health.
- 2. This declaration was developed upon request from the Federal Trade Commission, and it contains information pertaining to dietary supplements named LeanSpa (Product 1) and South Beach Java Dieting Blend (Product 2), collectively referred to as The Products. I have personal knowledge of the matters contained in this declaration, and if called as a witness, I could and would competently testify as to the matters discussed herein. To assist in this task I have been supplied with materials associated with this product.

Scope of Declaration

- 3. The Federal Trade Commission (FTC) has asked me to address the following issues for the dietary supplements named LeanSpa (Product 1) and South Beach Java Dieting Blend (Product 2), collectively referred to as "The Products," based on my professional experience and knowledge, a review of materials submitted and a search and review of the scientific literature.
 - a. Whether the use of each product or the ingredients therein, whether individually or in combination, can result in rapid and substantial weight loss, including as much as a loss of 25 pounds in four weeks (hereinafter, "the claimed rate of weight loss") without dieting or intense exercise.
 - b. Whether I am aware of any scientific studies, including any double-blind, placebocontrolled weight loss studies in the medical literature showing that each product or any of the components therein, whether individually or in combination, cause rapid and substantial weight loss without dieting or intense exercise.

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Summary of Conclusions

- 4. Based on an analysis of the claims associated with these products, a review of the scientific literature, and my understanding of the physiological process of weight loss as discussed in this report, any statement that any level of intake of Product 1, Product 2, or both Products taken together can achieve the claimed rate of weight loss without dieting or intense exercise¹ is false.
- 5. Based on an analysis of the claims associated with these products, a review of the scientific literature, there is no substantiation for any statement that any level of intake of The Products individually or in combination, or the ingredients therein, can achieve the claimed rate of weight loss without dieting or intense exercise.

What I reviewed

- 6. The following materials were received:
 - a. A five-page printout out of a website advertisement titled "2011-01-14 Online 6 Health News Diet Trends_A look at America's Top Diets." Each page has the following uniform resource locator (URL) identifier at the bottom: http://www.online6health.com/HEALTH/Acai-Berry/Index.php[1/14/2011 4:51:35 PM] [Attachment 2];
 - b. One bottle of LeanSpa (Lot 0111009 Exp 1/13) in its original packaging [Photographs as Attachment 3];
 - c. One 2-ounce package of South Beach Java Dieting Blend in its original packaging [Photographs as Attachment 4]; and
 - d. One 4" x 6" cardboard insert accompanying South Beach Java Dieters Blend containing brewing instructions and a Supplement Facts label this as well as other South Beach Java products. [Photographs as Attachment 5].
- 7. In addition to the materials detailed in Paragraph 6, I searched for applicable peer-reviewed research in the following scientific resource collections. In this report any reference to a search of the scientific literature refers to a search of these resources:
 - a. The National Library of Medicine at http://www.pubmed.gov (last visited February 27, 2011); and

¹The advertisements for the Products refer to obtaining the claimed rate of weight loss with "no intense exercise," but do not define "intense exercise" (See Para. 10 below). For purposes of this declaration, I have calculated that it would require the equivalent of running 25 or more miles a day to burn the calories needed to produce the claimed weight loss [See Para. 28(d) below]. Such a requirement would exceed any reasonable definition of "intense exercise."

b. The Natural Medicines Comprehensive Database at http://www.naturaldatabase.com (last visited February 27, 2011).

Identification of The Products and their active ingredients

8. Product 1: Lean Spa

According to the product label, one serving consists of 2 caplets containing the following components:

Chromium (Polynicotinate – Chromate)200 micrograms

Iodine (potassium iodide)50 micrograms

Garcinia extract, Green Tea extract, Acai Berry Extract, Natural Caffeine, 5-hydroxytryptophan, Octopamine HCl.

9. Product 2: South Beach Java – Dieting Blend

According to the product label, a serving consists of 2 teaspoons containing the following components:

Proprietary Blend1,340 milligrams³

Garcinia Cambogia (50% HCA), Citrus Aurantium extract (10%), Caffeine (USP), Chromium Polynicotinate (150 micrograms)

Product-related weight loss claim and associated dose.

- 10. The document cited in Paragraph 6a lists the dose of Product 1 and Product 2 and weight loss that was achieved during a 4-week period. The required does is described as followed:
 - Take one LeaSpa Acai pill per day
 - Take one South beach Java Serving per day

Below this was a weekly chronicle of results. On week four it states:

• After the fourth week, my results were shocking. I lost an unbelievable 25

²No breakdown is provided regarding the levels of the various components of the Lean Spa Active Blend.

³No breakdown is provided regarding the levels of the various components in the Proprietary Blend.

lbs. since starting the Lean Spa Acai and South Beach Java diet!

The following statements appear in a bolded large font at the end of the chronicle:

- I couldn't be any happier with the results.
- I Lost 25 lbs in 4 weeks. No Special Diet. No Intense Exercise

Analysis of active ingredients in The Products and claimed weight loss effect.

- 11. Acai Berry Extract (Product 1): Acai (Phonetic: ah-sah-EE) refers to the fruit from the Acai palm, Euterpe oleracea, which is native to Central and South America. There is not one study in the scientific literature reporting any effect of the acai berry or an acai berry extract, on weight loss in humans. The acai berry has characteristics of a healthful food, but any statement that an extract of this fruit taken by itself or in combination with the other ingredients in The Products can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.
- 12. Chromium Polynicotinate (Product 1 & 2): Chromium is an essential nutrient required primarily for the proper metabolism of sugar (blood glucose), but it's also involved with fat and protein metabolism. Any statement that chromium polynicotinate, when taken by itself, or in combination with other ingredients in The Products can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.
- 13. Iodine (Product 1): Iodine is an essential mineral needed by the body to make thyroid hormone. Any statement that iodine, when taken by itself, or in combination with other ingredients in The Products can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.
- 14. Garcinia Cambogia (Product 1 & 2): This is an herb that contains salts of hydroxycitric acid (HCA), a substance that competitively blocks ATP-citrate-lyase, an enzyme involved with de novo synthesis of fatty acids.⁴ Products that contain garcinia cambogia usually include instructions to take the product on an empty stomach, 30 60 minutes before mealtime, this to maximize the chance that the HCA will be bound to the fat-synthesizing enzyme when excess carbohydrate and protein calories would be present and normally converted to lipid as a prelude to storage. A low-fat diet is an important element with garcinia cambogia as there is no evidence that HCA will have an effect when excess calories are present as fat. This being said, however, any statement that garcinia cambogia taken by itself or in combination with the other ingredients in The Products can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.
- 15. Green Tea Extract (Product 1): Extracts of green tea contain caffeine and polyphenols.

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Heymsfield SB, et. al. Garcinia cambogia (hydroxycitric acid) as a potential antiobesity agent: a randomized controlled trial. JAMA. 1998 Nov 11;280(18):1596-600.

Polyphenols represent a large group chemical substances. One of the polyphenols typically found in green tea is EGCG (epigallocatechin gallate). This is a substance that has been investigated for its weight loss potential but there is no solid evidence associating green tea extract with weight loss.⁵ Any statement that green tea extract, taken by itself or in combination with the other ingredients in The Products, can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.

- 16. Caffeine (Product 1 & 2⁶): Caffeine can stimulate the burning of calories (thermogenesis) particularly when consumed by individuals who either have no previous experience with this drug, or have been off it for a time. When consumed on a regular basis the body becomes tolerant to the stimulant effects of caffeine, this occurring in approximately 5 to 7 days.⁷ Any statement that caffeine, taken by itself or in combination with the other ingredients in The Products, can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.
- 17. 5-hydroxytryptophan (Product 1): 5-hydroxytryptophan is a metabolite of a tryptophan is an essential amino acid that serves as the precursor to a key brain chemical (neurotransmitter) named serotonin, which encourages relaxation. Any statement that the 5-hydroxytryptophan, taken by itself or in combination with the other ingredients in The Products, can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.
- 18. Octopamine HCL (Product 1): Octopamine is a stimulant substance found in Citrus Aurantium (bitter orange). Any statement that octopamine HCL by itself or in combination with the other ingredients in The Products can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.
- 19. Citrus Aurantium (Product 2): Citrus Aurantium, also known as bitter orange, or the Seville orange, contains stimulant chemical substances that include synephrine and octopamine. Any statement that citrus aurantium by itself or in combination with the other ingredients in The Products can bring about the claimed rate of weight loss is false and unsubstantiated in the scientific literature.

⁵Diepvens K, Kovacs EM, Vogels N, Westerterp-Plantenga MS. Metabolic effects of green tea and of phases of weight loss. Physiology and Behavior. 87 (2006) 185-191 (FTC000332-344).

⁶Product 2 is a ground coffee, and there is no indication that it has been decaffeinated. It is unclear whether the caffeine listed is naturally occurring or an additional amount has been added.

⁷Benowitz NL. Clinical pharmacology of caffeine. Annu Rev Med. 1990;41:277-88.

Principles of weight control

- 20. The difference between energy intake/absorption and energy output, i.e., energy balance, is the ultimate determinant of weight change. Weight gain results when the energy intake/absorption is greater than the energy used by the body ("energy excess"). Weight loss results when the energy intake/absorption is less than that used by the body ("energy deficit").
- 21. Excess body weight refers to an excess of energy stored as fat in the adipose tissue of the body, commonly referred to as "body fat." For the purposes of this report, "excess weight," "weight loss," or references to a number of pounds or kilograms in relation to weight loss, all make specific reference to body fat.
- 22. A common unit of energy is the calorie. The kilocalorie (kcal) is a unit of energy defined as the amount of heat needed to raise one kilogram of water one degree centigrade. This is the "calorie" commonly referred to in discussions of body weight and the energy contained in foods. In this report, the terms calorie and kilocalorie (kcal) will be considered as equivalent.
- 23. Weight loss results when an individual eats and/or absorbs fewer calories than the body requires thus creating an "energy deficit." Ways in which an "energy deficit" can be brought include:
 - A diet that involves fewer calories being consumed;
 - A diet that holds caloric intake constant with an intervention causing fewer ingested calories from being absorbed and/or retained; and/or
 - A diet that holds caloric intake constant along with an increase in caloric expenditure, such as through increased physical activity.
- 24. There are physiological limits to the rate at which an individual can lose weight. The loss of one pound of body fat requires a cumulative energy deficit of approximately 3,500 calories. To maintain body weight, the average adult ingests 2,000-2,500 calories per day with some variance according to age, sex, weight and physical activity level. Restricting caloric intake to a level below that needed to maintain body weight is an accepted method to create a caloric deficit and thus bring about weight loss.

⁸Drewnowski A. Obesity and the food environment: dietary energy density and diet costs. Am J Prev Med. 2004 Oct;27(3 Suppl):154-62.

⁹Ravussin E, Lillioja S, Anderson TE, Christin L, Bogardus C. Determinants of 24-hour energy expenditure in man. Methods and results using a respiratory chamber. J Clin Invest. 1986 Dec;78(6):1568-78.

- 25. There are other methods that can bring about transient losses of body weight that do not equate with a loss of body fat:
 - Laxative substances can decrease the amount of fecal matter in the large intestine awaiting normal elimination. Laxatives can bring about a temporary loss of physical weight, but this is not the equivalent of a weight loss that involves a loss of body fat from the adipose tissue.
 - Diuretics are substances that can bring about a net loss of body water through an increased flow of urine from the body. A transient loss of physical weight can occur through the use of diuretics as such substances can reduce the amount of water in the body. This is not the equivalent of a weight loss that involves a loss of body fat from the adipose tissue.
- 26. For the purpose of this declaration weight loss is considered rapid if it occurs at a rate of 2 pounds a week or greater.
- 27. For the purpose of this declaration weight loss is considered substantial if it results in a loss of at least 10% of the initial body weight, and a minimum of 30 pounds.

What it would take to lose weight at the claimed rate.

- 28. There would be physiological requirements to accomplish weight loss at a rate of 25 pounds in four weeks. Such requirements would be based on the following logic:
 - a. The average adult ingests 2000-2500 calories per day¹⁰ with some variance according to age, sex, weight and physical activity level.¹¹
 - b. As has been explained in the "Principles of Weight Control" below, weight loss occurs when the body takes in fewer calories than it requires. A pound of body fat contains approximately 3,500 calories of stored energy.
 - c. As indicated in Paragraph 10 the claim is that taking The Products can bring about a loss of body weight of 25 pounds in 4 weeks (28 days). For this to occur there would need to be a deficit of 3,125 calories per day. The calculation of this deficit is as follows:

¹⁰Drewnowski A. Obesity and the food environment: dietary energy density and diet costs. Am J Prev Med. 2004 Oct;27(3 Suppl):154-62.

¹¹Ravussin E, Lillioja S, Anderson TE, Christin L, Bogardus C. Determinants of 24-hour energy expenditure in man. Methods and results using a respiratory chamber. J Clin Invest. 1986 Dec;78(6):1568-78.

25 lbs. of body fat per week x 3,500 calories per pound = 87,500 calories per 4 weeks (28 days); and

87,500 calories divided by 28 days = 3,125 calories per day.

- d. Using running as a way to illustrate caloric expenditure, a 200 pound individual would need to run approximately 25 miles each day to burn an additional 3,125 calories over that needed for normal daily activities.¹²
- e. Although as cited in Paragraph 10, weight loss from The Products purportedly occurs without any special diet or intense exercise, it must be pointed out that even under conditions of a complete starvation fast where no calories are consumed, the reported loss of body weight over the long term occurs at a rate of only 0.66 pounds (2,310 calories) per day.¹³
- f. Any claim or suggestion that the use of The Products can bring about a caloric deficit of 3,125 calories per day is clearly outside the realm of plausible science.

Scientific assumptions used in this declaration

- 29. The ideal for support in scientific research is a clinically significant finding in a randomized double-blind, placebo-controlled, clinical study, with these results being published in a peer-reviewed scientific journal. Findings should be confirmed by investigations at an independent research institution. Support of this nature provides dependable findings that are free of bias introduced by either the subject or the researcher. My explanation for the importance of these elements is as follows:
 - a. Randomization: Subjects are randomly assigned to either the group receiving the active treatment or the group receiving the placebo; neither the researcher nor the subject has any say over the assignment.
 - b. Placebo: An inactive treatment that tastes and otherwise resembles the real treatment. The use of a placebo treatment helps eliminate any error resulting from subject or researcher expectations that the treatment should produce an effect. For example, a dietary supplement may result in a loss of weight, but weight loss may also occur if only a placebo pill were used. To conclude with confidence that the treatment is having an effect, and that the results are due to the treatment and not the expectation, the weight loss experienced by those taking the treatment would

 $^{^{12}\}mbox{Running}$ equivalents for a 200 lb individual from "Calorie Counter by Distance" at "Run The Planet," website at

http://www.runtheplanet.com/resources/tools/calculators/caloriecounter.asp.

¹³Kerndt PR, Naughton JL, Driscoll CE, Loxterkamp DA. Fasting: The history, pathophysiology and complications. West J Med. 1982 Nov;137(5):379-99.

- have to be statistically significantly greater than the weight loss experienced by those taking the placebo.
- c. Double Blind: Throughout the randomization and data collection phase of the experiment, neither the subjects nor the researcher know who is receiving the active treatment and who is receiving the placebo.
- d. Peer-reviewed journal: Prior to acceptance for publication, the study undergoes a critical review by independent scientists having expertise in the area being investigated.
- e. Statistically Significant: Tests of statistical significance tell you whether the findings are mathematically reliable. In order to state that the observed difference is statistically significant, it must be large enough so that it could not be explained by chance alone. Tests are conducted to verify that the probability ("p") is less than 1 in 20 that the difference might have happened by chance. This is normally expressed as a p < 0.05, or "statistically significant at the 5% level." This is the minimum standard needed for observed differences to be categorized as statistically significant. In this report, any reference to a study result as significant, refers to statistical significance at no less than the p < 0.05 level.
- f. Clinically Significant: Clinical significance addresses the important issue of whether a treatment effect is worth the effort. A result can be statistically significant but not be clinically significant because it is very small or because it is not a clinically important outcome. Assessments of clinical significance are made by those having expertise in the area being studied. For example, a study by Gougeon R, et.al.¹⁴ reported a significant acute thermic effect from citrus aurantium, a substance found in The Products, but the authors concluded that the effect was not clinically significant as it would amount to an estimated loss of only 2.2 pounds of body weight over a six month period.
- g. Confirmation by independent researchers: When results are a departure from existing knowledge they need to be confirmed by independent researchers at different institutions to eliminate any possibility of methodological error or bias.
- 30. Advertising claims relate to specific products and specific directions for use. Scientific proof affirming an advertising claim would involve support from research describing objective tests utilizing a comparable intake(s) of the same substance(s) under similar conditions using similar populations for which the advertising claims are made.
- 31. Any physiological mechanism purported to be an effect from a product or a product ingredient requires a study-based confirmation of the mechanism, together with a

¹⁴Gougeon R, Harrigan K, Tremblay JF, Hedrei P, Lamarche M, Morais JA. Increase in the thermic effect of food in women by adrenergic amines extracted from citrus aurantium. Obes Res. 2005 Jul;13(7):1187-94 (Documents 0000168-175).

- scientific basis to conclude that this effect will be present when the product is used as directed.
- 32. A report that is published as a scientific meeting abstract is not considered peer-reviewed research evidence unless the results from the complete study have been published in a peer-reviewed scientific journal.
- 33. Weight loss studies using animal models can be suggestive of mechanisms or effects that may or may not be present in humans. Such research does not, by itself, provide scientific support for advertising claims for products being used by humans.
- 34. Epidemiological studies gather information on factors associated with observed patterns of disease in populations; they are insufficient to substantiate cause and effect. Therefore, reports of such studies are not sufficient, in and of themselves, to establish scientific proof of a product's effectiveness.
- 35. Testimonials do not constitute scientific evidence of product efficacy.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 6, 2011 in Kensington, California.

Edward R. Blonz, Ph.D.

Attachment 1: CV, Edward R. Blonz, Ph.D.

Attachment 2: A five-page printout of a website advertisement titled "2011-01-14"

Online 6 Health News – Diet Trends A look at America's Top

Diets." Each page has the following uniform resource locator (URL)

identifier at the bottom:

http://www.online6health.com/HEALTH/Acai-

Berry/Index.php[1/14/2011 4:51:35 PM]

Attachment 3: Photographs of a bottle of LeanSpa (Lot 0111009 Exp 1/13)

Attachment 4: Photographs from a 2-ounce package of South Beach Java – Dieting

Blend

Attachment 5: Photographs of the 4" x 6" cardboard insert accompanying South

Beach Java – Dieters Blend containing brewing instructions and a Supplement Facts label this as well as other South Beach Java

products.

Attachment 1: CV, Edward R. Blonz, Ph.D.

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EDWARD R. BLONZ, Ph.D

139 Purdue Avenue, Kensington, California 94708 (510) 525-6925 phone/fax (510) 747-8676 mobile/message ed@blonz.com

EDUCATION

Ph.D., Nutrition, University of California-Davis, December 1983 M.S., Nutrition, University of California-Davis, December 1977 B.A., Psychology, University of Wisconsin-Madison, June 1971.

PROFESSIONAL ACTIVITIES

- 2009 **ASSISTANT CLINICAL PROFESSOR**, Department of Clinical Pharmacy, 521 Parnassus Avenue, University of California, San Francisco, CA 94143
- 1990 **PRINCIPAL**, Edward R. Blonz, 139 Purdue Avenue, Kensington, CA 94708-1032 (510) 525-6925.
 - Consultant and Expert Witness specializing in nutritional, biochemical and physiological issues relating to the use, effects and claims made for foods, dietary supplements, related compounds and devices. Clients include the Federal Trade Commission, U.S. Department of Justice, Attorneys General of 27 states and the District of Columbia, and City and District Attorneys in state of California.
 - Dietary Supplement Safety Committee, (Founding member and Chair) ad hoc committee of nutritionists, physicians, pharmacists, researchers, attorneys, journalists and allied health professionals.
 - Scientific journalist and public speaker. Nationally syndicated newspaper columnist (United Features Syndicate) Author: Seven books for the general public on nutrition, foods and health. Creator of The Blonz Guide (http://blonz.com), an award winning website listing reliable resources in nutrition, foods and health. Editorial Board: Berkeley Wellness Letter.
 - Former Member (Appointed): 1) Dietary Supplement Subcommittee of the Food Advisory Committee; FDA, Center for Food Safety and Applied Nutrition; U.S. Department of Health and Human Services. 2) Health Fraud Task Force of California, a collaborative FDA interagency task force focused on research, networking and consumer education.
- 1998 2000 **DIRECTOR OF NUTRITION / SCIENCE DIRECTOR**, More.com (formerly greentree.com), 520 3rd Street, San Francisco, CA (415) 979-9597
 - Science Director; involved in science-accurate content creation for e-commerce site focusing on nutrition, health, wellness and pharmacy.
 - Scientific reviewer, member of Scientific Advisory Board, consultant for online resources and strategic decisions involving selection of content providers.
 - "Ask Dr. Blonz," an interactive feature, responding to issues in nutrition, health, dietary supplements and wellness.

- 1987-1990 **ADMINISTRATIVE PROJECT MANAGER**, Metabolic Research Unit, USDA Western Human Nutrition Research Center, Presidio of San Francisco, CA 94129.
 - Administrator of Nursing, Dietary, Health and Safety, Data Processing and Administrative Support Services; responsibilities included management, personnel and fiscal affairs for all areas involved in contract operation of USDA Metabolic Research Unit.
 - Responsible for staff recruitment, delegation, supervision of quality control program and motivation among five Department Heads and staff of 30.
- 1984-1987 **ASSISTANT PROFESSOR,** University of Minnesota, Department of Food Science and Nutrition, 1334 Eckles Ave, St. Paul, MN. 55108
 - Provided statewide leadership in the program areas of food, nutrition and health information along with the development and adaptation of educational materials and strategic planning with the Minnesota Extension Service. Developed computer-based information system for intra- and interstate network.
 - Developed state programs on the relation between healthy lifestyles and questionable health practices. Served as interface and advisor to the media and government agencies.
 - **Founder & President**: Minnesota Council Against Health Fraud, Inc., an all-volunteer, non-profit agency. Served as official spokesperson for the organization in presentations as well as in all media contacts.
- 1977-1984 **RESEARCH ASSISTANT; VISITING LECTURER; Research Fellow**; Department of Nutrition, University of California, Davis. (Doctoral Program)
 - Research focus on the investigation of the relationship between insulin and obesity by measuring glucose-induced insulin secretion during the development of obesity. Additionally utilized techniques of radioimmunoassay, and body composition determination.
 - Adapted, developed and utilized surgical techniques and apparatus for *in vitro* pancreas perfusion with 2 and 4-week old genetically obese rats.
 - Visiting Lecturer 1980 1982: **Introductory Nutrition** (1980-81); **Nutrition Through the Life Cycle** (1980,81,82)

- 1975-1977 **SEA GRANT RESEARCH FELLOW**, Institute of Marine Resources, Department of Food Science, University of California, Davis. (Masters Program)
 - Investigated and reported on seafood toxicology involving commercially-canned products (Scombroid poisoning).
 - Developed laboratory and bioassay assessment techniques, including thin-layer chromatography, and testing with various animal models.

1972-1975 **ADMINISTRATIVE ASSISTANT**, Mason-Barron Pathology Labs, Chicago, IL 60641

• Laboratory systems and workflow; Manager of five departments (75 employees) consisting of customer-client relations, nursing home service, general office, specimen processing and dispatch for a large metropolitan reference laboratory.

PROFESSIONAL ORGANIZATIONS

American Institute of Nutrition
American College of Nutrition (Fellow)
NAASO, The Obesity Society (Fellow)
Sigma Xi, The Scientific Research Society
National Association of Science Writers
Northern California Science Writers Association

Institute of Food Technologists Association of Food Journalists New York Academy of Sciences Association of Health Care Journalists

American Association for the Advancement of Science

BOOKS PUBLISHED

The Really Simple, No Nonsense Nutrition Guide, Conari Press, 1993

Your Personal Nutritionist: Fat and Fiber, Penguin/Signet 1996 Your Personal Nutritionist: Antioxidants, Penguin/Signet 1996

Your Personal Nutritionist: Calcium and the Minerals, Penguin/Signet 1996

Your Personal Nutritionist: Food Additives, Penguin/Signet 1997

Power Nutrition, Signet, Penguin/Signet 1998

The Nutrition Doctor's A to Z Food Counter, Signet, Penguin/Signet 1999

SCIENTIFIC PUBLICATIONS

- Blonz, E.R., and Olcott, H.S. Effects of histamine and of aqueous extracts of canned spoiled and unspoiled tuna on Daphnia magna. Fed. Pro., 36: 1117, 1977.
- Blonz, E.R., and Olcott, H.S. Daphnia Magna as a bioassay system for histamine in tuna extracts. Bull.Jap.Soc.Sci.Fsh.,44:5 517-519, 1978.
- Blonz, E.R., and Olcott, H.S. Effect of histamine, putrescine, and of canned spoiled tuna on growth in young Japanese Quail. J.Fd. Sci 43:5 1390-1391, 1399, 1978.
- Blonz, E.R., and Olcott, H.S. Effects of orally ingested histamine and/or commercially canned spoiled skipjack tuna on pigs, cats, dogs, and rabbits. Comp. Bioch. Physiol. 61C:161-163, 1978.
- Blonz, E.R. Histamine toxicity from fish: bioassay. Am.Chem.Soc.(Ag.Fd.Chem. Div.) Annual Meeting (abs), 1978.
- Blonz, E.R., and Stern, J.S. Fad Diets and Obesity, in Contemporary Issues in Clinical Nutrition, vol. 2, Controversies in Nutrition. L. Ellenbogen, ed., Churchill Livingston, N.Y., 1981.
- Blonz, E.R., Curry, D.L., and Stern, J.S. Insulin release in perfused pancreata of 2 and 4-week Zucker obese and lean rats. Fed. Pro. 42:3 587, 1983.
- Blonz, E.R., Judith S. Stern, and Donald L. Curry. Dynamics of pancreatic insulin release in young Zucker rats: a heterozygote effect. Amer. J. Physiol. 248: E188-E193, 1985.
- Blonz, E.R. Is there an epidemic of Chronic Candidiasis in our midst? JAMA 256:22, 3138-3139, 1986.
- Blonz, E.R., D.L. Curry, and J.S. Stern. Diet composition during suckling alters growth and insulin release by 4-week lean and obese rats. Nutrition Reports International 37:2, 379-386, 1988.
- Blonz, E.R. You are what you ate: The Biosetpoint Hypothesis. Med Hypotheses. 2006 67(2):270-5.

Attachment 2: A five-page printout of a website advertisement titled "2011-01-14"

Online 6 Health News – Diet Trends_A look at America's Top Diets." Each page has the following uniform resource locator

(URL) identifier at the bottom:

http://www.online6health.com/HEALTH/Acai-

Berry/Index.php[1/14/2011 4:51:35 PM]



1 Trick of a Tiny Belly: Reporter Loses Her "Belly" Using 1 Easy Tip

As part of a new series: "Diet Trends: A look at America's Top Diets" we examine consumer tips for dieting during a recession













Julie investigates the Acai Berry diet to find out for herself if this super diet works.

(Piscataway) - Acai berries are the latest weight loss fad. These so called Super Foods that you take as a supplement to lose weight have been getting a lot of international attention. And like you have probably already seen; they are all over the internet in blogs and success stories of people who have apparently used the pills and lost a ton of weight.

But we here at News 6 are a little skeptical and aren't sure that we've seen any real proof that these pills work for weight loss. So we decided to put these products to the test. What better way to find out the truth than to conduct our own study?

To get started, I volunteered to be the guinea pig. I applied for a free trial of the LeanSpa Acai. While there are ton of Acai berry ads online, LeanSpa Acai is one of the most credible and trustworthy suppliers on the market. It included the free trial of the product and it did not try to fool me into agreeing to additional hidden offers. Another reason why I chose LeanSpa Acai is because it is the most concentrated and purest acai products on the market. This would give me the most accurate results for my test.

Here is what LeanSpa Acai claimed on their website...

- Up To 4 Times More Weight Loss Than Standard Diets
- Boosts Energy without the 'jitters'
- **Burn Calories**
- **Boost Immune System**
- Rich in Antioxidants

We were pretty skeptical, but wanted to find out for ourselves if this product could actually do everything that it claimed. Most of the success stories talk about combining acai berry with coffee cleansing products to achieve maximum weight loss. I decided to do the same. The idea behind combining the products is that while the Acai Berry encourages weight loss and increases energy, the coffee helps speeds up your metabolism and allows your body to work and burn calories more efficiently. I chose South Beach Java to test. Coffee is the most widely consumed beverage in the world, a coffee company called South Beach Java has pioneered a healthier blend of fortified coffee that claims to provide some serious results.

Here is what South Beach Java claimed on their website...

- · Burns Body Fat
- · Curbs Appetite Dramatically



Julie Ayers, our Health and Diet columnist, recently put the Acai and COffee Diet to the test. After four weeks of testing the effects of America's Newest Superfood combined with a Coffee Diet Aid, she has reached the conclusion to what this diet is all about, and the results were surprising.

She lost 25lbs in 4 weeks.

The benefits of the Acai berry and coffee diet beat all of our initial skepticism. We found the diet not only with weight loss, but it seemed to boost energy levels, and also helped Julie sleep better and to wakeup more rested.

Step 1:

First get **LeanSpa Acai**

Use our exclusive promo "LEAN195" and get price reduced to \$2.99!

Step 2:

Then get South Beach Java Use our exclusive promo "SAVE" and get price reduced to \$1.95!

**This is key. Use both for results like Julie

Free Trials expire on Saturday, January 15,

Network Reviews:

ABC News Calls Acai Berry A Superfood! Many world-class athletes have started using Acai berry products as part of

FTC-000019

Friday, January 14, 2011

» RELATED VIDEOS

Acai Berry: Fox35 Special Report

Acai Health Benefits America's #1 Superfood. Look younger and Live Longer and Healthier

Health Benefits of Coffee: CBS News

"Protects against obesity, heart disease, prostate cancer and type 2 diabetes

» ADVERTISEMENTS



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- Speeds Up the Metabolic Process Therefor Burning More Calories
- · Helps to Regulate the Metabolism

And the South Beach Java, like the Acai Berry, had a free trial with a 100% satisfaction guarantee and had no hidden offers.

Putting Acai to the Test

Both the <u>LeanSpa Acai</u> and <u>South Beach Java</u> arrived within 4 days of having placed my order online for the free trials.

The bottles I received held a month's worth of pills and special coffee which worked out perfect as I was to follow the supplement routine for 4 weeks time and document my progress throughout.

My Test

4 Week Acai Berry and Coffee Diet: LeanSpa Acai + South Beach Java

- Take one LeanSpa Acai pill per day
- Take one South Beach Java serving per day

My Results

Week One

After one week on the diet using both products I was surprised at the dramatic results. My energy level was up, and I wasn't even hungry, an apparent side effect of the Acai Berry and Coffee which curbs the appetite.

I honestly felt fantastic.

And I didn't even change anything about my daily routine. On day 7 I got on the scale and couldn't believe my eyes. I had lost 9 lbs. But I still wasn't convinced as they say you lose a lot of water at the beginning of any diet. I wanted to wait and see the results in the upcoming weeks. But it sure was looking up! I now weighed under 140 lbs for the first time in years!

Week Two

After two weeks of using both supplements, I started the week off with even more energy and was actually sleeping more soundly than before. I was no longer waking up during the night and tossing and turning because my body was actually able to relax (this is a result of getting rid of the toxins I think). Plus I still managed to lose another 7 lbs, putting me at an unbelievable 16 lbs of weight loss, in just 2 weeks.

I must admit that I'm starting to believe that this diet is more than just a gimmick.

Week Three

After 3 weeks all my doubts and skepticism had absolutely vanished! I am down, 2 full dress sizes, after losing another 6 lbs. And I still have a ton of energy. Quite often, around the third week of other diets, you tend to run out of steam. But with the LeanSpa with Acai and South Beach Java diet my energy levels don't dip, but remain steady throughout the day. I no longer need that cat nap around 3pm in the afternoon! And I am even noticing that my stomach is digesting food so much better. No bloating or embarrassing gas after I eat!!

Week Four

After the fourth week, my final results were shocking. I lost an unbelievable 25 lbs since starting the LeanSpa Acai and South Beach Java diet! Actually everyone at News 6 is kicking themselves for not having volunteered to be the guinea pig. Using the LeanSpa Acai and South Beach Java in week 4 I lost 3 more lbs. But to be honest I really didn't have much more than that

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their personal training regimen.

- ABC News



Studies show that the acai berry is one of the most nutritious foods in the world. Acai is packed with antioxidants, amino acids and essential fatty acids.

- MSNBC



CBS News notes that Acai berries are "rich in B vitamins, minerals, fiber, protein and omega-3 fatty acids. Acai berries also contain oleic acid.

- CBS NEWS

Weather



Weather Forecast | Weather Maps | Weather Radar



» Weight Loss Tips

1. Set a goal. Identify your ideal weight and set up a plan to start reaching your goal.

2. Don't be afraid to ask for and get help. You're not going to lose weight alone. Tell you family. Get support.

3. Vitamins are good for you. The American diet lacks essential vitamins and minerals. Balance your health with the best supplements.

4. Walk the Walk. You burn calories when you walk, did you know that? Keep active and balance your diet with regular exercise.

5. Sleep it off. To be an efficient fat-burning machine, your body requires at least eight hours of sleep a night. If you think that you're doing yourself a favor by sleeping less, you're mistaken.

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left to lose. Given the results and the added health benefits I will continue to use the products indefinitely!

I couldn't be any happier with the results.

I Lost 25 lbs in 4 Weeks, No Special Diet, No Intense Exercise

Conclusion: Like us, here at News 6, you might be a little doubtful about the effects of this diet, but you need to try it for yourself; the results are real. After conducting our own personal study we are pleased to see that people really are finding success with it (myself included:)). And you have nothing to lose. Follow the links to the free trials I have provided and know that you are getting a quality product that works; no strings attached!

Good luck with your weight loss,

- Julie Ayers

Click Here To Get A Free Trial Of LeanSpa Acai

Use our exclusive promo "LEAN195" and get price reduced to \$2.99!

Click Here To Get A Free Trial Of South Beach Java

Use our exclusive promo "SAVE" and get price reduced to \$1.95!

**This is key. Use both to get the same results as Julie!

Free Trials expire on Saturday, January 15, 2011

Would you like to share a consumer tip for next week? If so, please send us an e-mail!

Comments (10 out of 177)

Read Responses For: "Diet Trends: A look at America's Top Diets" - Julie Ayers Report

Diane says:

11:33 AM Thursday, January 13, 2011

My friends and I have all been waiting for the acai diet to hit the news. Atleast 5 of us have all done the acai diet (costing us upwards of \$300+) and we all lost a bunch of weight. This stuff truley is incredible and has changed all of our lives. Good luck to everyone who takes advantage of this wonderful opportunity

Michelle says:

12:58 PM Thursday, January 13, 2011

I saw this report on tv the other day and was amazed at the results. I am getting married next month so the timing couldn't have been better!! thanks for the tip!

Jen says:

1:54 PM Thursday, January 13, 2011

I've gone ahead and ordered my free trials. I can't wait to get started and see what happends

Stephen says:

4:24 PM Thursday, January 13, 2011

I've been seeing acai diets all over. I even heard my mom talking about this diet a few days ago since one of her friends has lost like 12 lbs in the first 15 days! I definately have to try this, thanks.

Julie says:

5:16 PM Thursday, January 13, 2011

Yay! glad to see it's helped and that my story is getting out there! good luck!

Davis says:

6:05 PM Thursday, January 13, 2011

This stuff is amazing! My best friend Jessica did the same diet and lost an incredible amount of weight.. i couldn't believe it and had to do some research on my own which is how I found this news article. I can't

FTC-000021

Online 6 Health News - Diet Trends: A look at America's Top Diets

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believe they are offering free trials! I know Jessica spent something like \$600 and was thrilled.. imagine
how excited she would be if it cost her under \$10.00. This is a godsend, thanks so much!!

Damo says:		7:17 PM Thursday, January 13, 201
	e trials and signed up to the gyr	nd I really hope this is the answer. I've gone ahead in aswell. I really hope to lose atleast 50 pounds
Amy says:		7:38 PM Thursday, January 13, 201
Hey Julie, i just ord	lered my free trials. I can't wait to	o get them!! Thanks, Amy xoxoxo
James says:		8:31 PM Thursday, January 13, 201
My wife used both and we are BOTH		in her is remarkable. She looks and feels wonderful
Wanda says:		9:45 PM Thursday, January 13, 201
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Submit

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Online 6 Health News - Diet Trends: A look at America's Top Diets

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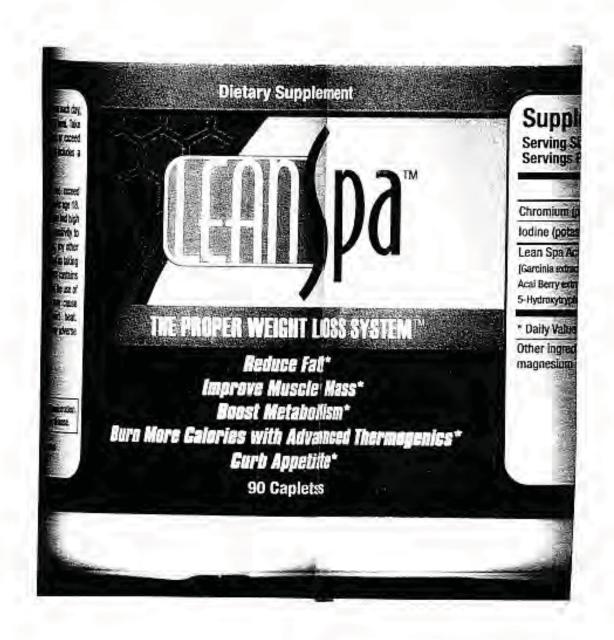
*S&H charges do apply. Results will vary by person, and the special offers may only be available for a limited time. Some of the products described on this site have terms regarding continued billing after the trial period ends. This is referred to as negative option, or continuity billing. Therefore, it is important to ensure that you are fully aware of the terms associated with each product before you order. To make this easier for you, we have included links to the billing terms for each of the products below. Please keep in mind that these are separate companies and we are not the best source for information about orders or specific policies. Because these companies control their own policies, shipping and other fees may change periodically.

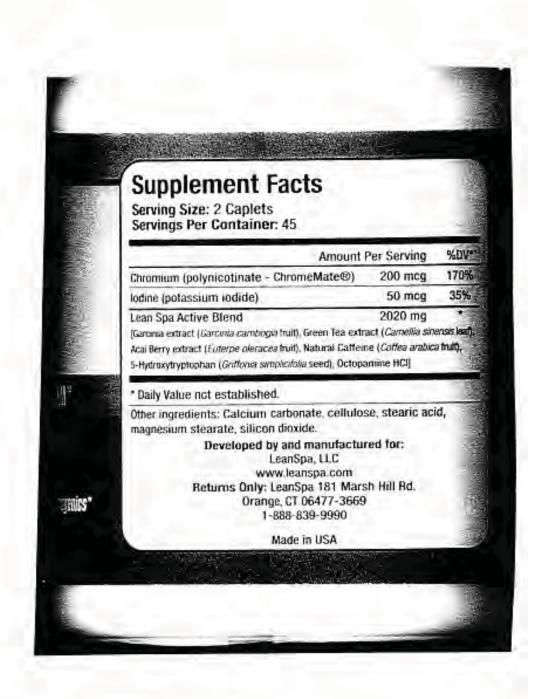
*LeanSpa Acai T&C (the following was taken directly from their website): You will have a 14-day trial period (the 'Trial Period') to try our Product. The Trial Period will start after you place your order, and will end at 11:59 p.m. Eastern Standard Time on the 14th day. Upon shipment of your trial supply your credit card will be charged shipping and handling charges of \$4.95 for your trial bottle. Canceling During Trial Period: If you wish to cancel your order within your Trial Period, simply call our Customer Care Department at 888-839-9990 and inform us that you wish to cancel (or visit www.leanspa.com/page/returns and follow the prompts on the website to cancel), then return your trial bottle (even if it's empty!) within 30 days from canceling, by the method set forth in Section 3, below. If you cancel within 10 days after canceling, you will not incur any further charges. If you cancel but do not return the bottle, your credit card will be charged \$79.99 for the 30-day supply. You also are responsible for all shipping charges to return the Product to us. The free pedometer included with your trial purchase is yours to keep even if you cancel your enrollment, during the Trial Period or at any other time.

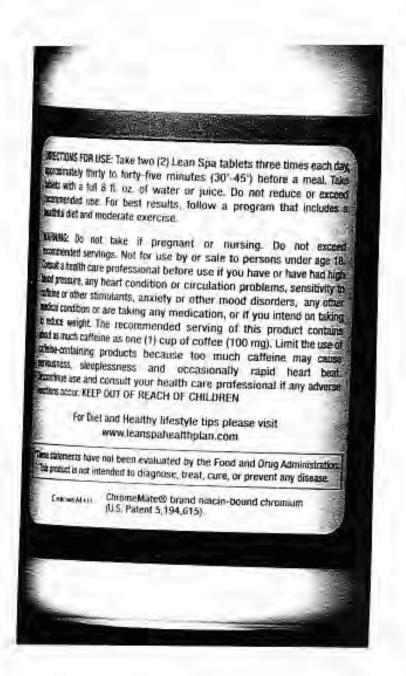
*South Beach Java T&C (the following was taken directly from their website): When you place your initial order by clicking the "Submit & Confirm", we will send you 1 bottle (a 30 day supply) of South Beach Java, and your credit card provided today will be charged \$69.95 (plus s&h) and in approximately 30 days you will be charged \$69.95 plus a shipping and handling charge of \$4.95 for your second bottle of South Beach Java which then qualifies you for our Rebate Program. If you qualify for our Mail-In Rebate Program (see below), you can receive a rebate of \$69.95, providing you with one FREE bottle of South Beach Java. If you have any questions, please contact our Customer Service Department online at www.getvitacleanse.com/rebate/info/4.php or call us at 1-888-950-3438. Today's charges and future charges will appear on your credit card as Swiss Sciences Nutrition.

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Attachment 3: Photographs of a bottle of LeanSpa (Lot 0111009 Exp 1/13)







Attachment 4: Photographs from a 2-ounce package of South Beach Java –

Dieting Blend



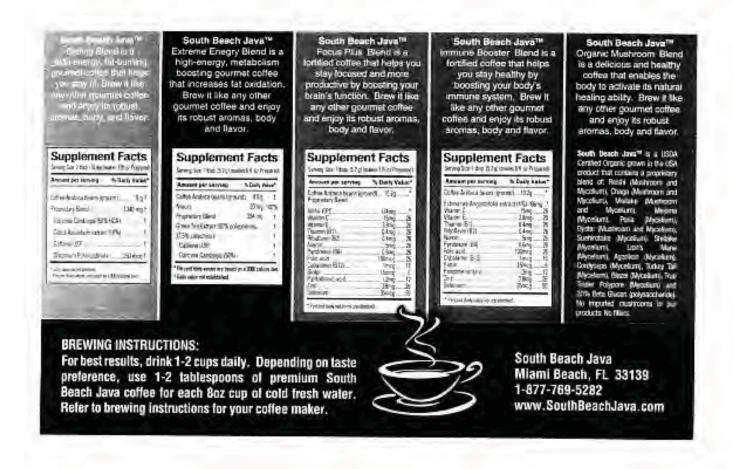


Attachment 5: Photographs of the 4" x 6" cardboard insert accompanying South

Beach Java – Dieters Blend containing brewing instructions and a Supplement Facts label this as well as other South Beach Java

products.





South Seach Java^M

Dieting Elend is a

Pight enough, but burning
gournet coffee that helps

vou eley fit. Brown like

Lny other gournet coffee

end unjoy its robust
aremus, body, and flavor

Supplement Facts

Serving Size. 2 thsp. (10.4g) (makes 12fl.oz Prepared).

Amount per serving % Daily Value*

Coffee Arabica beans (ground) 9 g t

Proprietary Blend ______1340 mg f

Garcinia Cambogia (50% HCA)t

Citrus Aurantium extract (10%) t

South Beach Java™

Extreme Enegry Blend is a high-energy, metabolism boosting gourmet coffee that increases fat oxidation.

Brew it like any other gourmet coffee and enjoy its robust aromas, body and flavor.

Supplement Facts

Serving Size: 1 thsp. (5.2 g) (makes 6 fl. oz Prepared)

Amount per serving	6 Daily Value*	
Coffee Arabica beans (ground)	4.9 g	1
Niacin	20 mg	100%
Proprietary Blend	294 mg	1
Green Tea Extract (50% polyphenols,		
37.5% catechins)		1
Caffeine USP		1
Garcinia Cambogia (50%)		

Percent daily values are based on a 2000 calorie diet.

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Coffe Propr alpha Vitam

Vitam Thian Ribofl Niaci

Pyride Folic : Cobal Biotin

Panto Zinc Selen

· Perci

BREWING INSTRUCTIONS:
For best results, drink 1-2 cups daily. Depending of

[&]quot;Dar", value not established.

Percent daily values are based on a 2000 calone diet.

[†] Daily value not established.